

## **REMARKS**

In the Office Action, claims 2-9 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 2, 10 and 11 were rejected under 35 U.S.C. §102(b) as being anticipated by Hoshino (U.S. Pat. No. 6,655,117). Claims 3-9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, second paragraph. Claim 12 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant would like to thank Examiner Nguyen for the consideration given applicant's attorney during the telephone interview of December 19, 2007. During the interview, agreement was reached to amend claim 1 and distinguish the present invention over the Hoshino patent and the prior art of record.

As discussed with the Examiner, the peculiarity of the strapping machine according to the claimed invention is that two different mechanisms are present, which can be alternatively selected to transmit movement from the motor 36 to the main wheel 18, depending on which operational step has to be performed, i.e. pulling of the strap at low speed or extension and retrieval thereof at high speed. Selection and sequential operation of these two mechanisms are controlled by a control device

50. The motor of the machine is rotated in only one direction while accomplishing these goals, and, as indicated by the Examiner, is distinguished over the Hoshino patent.

U.S. Pat. No. 6,655,117 (Hoshino) discloses a strapping machine comprising a strap extension, retrieval and pulling unit having a motor 85 and a powered main wheel (band driving roller 27) around which a strap (strapping band 11) winds partially for powered movement of the strap in opposite directions.

Differently from the strapping machine according to claim 1 of the present application, the machine disclosed by Hoshino is not provided with two different mechanisms designed to be alternatively selected to transmit movement from the motor 85 to the main wheel 27, depending on which operational step has to be performed (pulling of the strapping band 11 at low speed or extension and retrieval thereof at high speed).

As a matter of fact, in the Hoshino patent, the powered main wheel 27 is permanently coupled to the main motor 85, since it is attached to an end of the output shaft 87 of said motor 85 (see column 7, lines 63-64 and Fig. 7). In other words, the main wheel 27 is always driven directly by motor 85 without any transmission mechanism being interposed between the motor 85 and the main wheel itself and the speed and the direction of rotation of said main wheel 27 directly depends on the

speed and the direction (clockwise or counterclockwise) in which the motor 85 is rotating, so as to perform either the extension or the retrieval of the strapping band 11 (column 8, lines 7-13).

When pulling of the strapping band 11 is to be performed, the output shaft 87 of the motor 85 is connected (at its end opposite to that where the wheel 27 is attached) via a driving belt 107 and a reduction unit 105 to a secondary motor 97, which is normally used to drive the shaft for sealing 59, thereby causing the main motor 85 to rotate at a slower speed (column 8, lines 13-20).

In view of the above, it is apparent that, since in the Hoshino patent there are no transmission mechanisms which can be kinematically interposed between the motor 85 and the main wheel 27 because said wheel is directly and permanently keyed on the motor shaft 87, and an external brake mechanism is arranged in order to affect the rotation speed of the main motor 85, the features of amended claim 1 of the present application are not anticipated by the Hoshino patent.

Of course, since two different mechanisms are absent from the Hoshino patent, which can be alternatively selected to transmit movement from the motor to the main wheel, even the feature of the control device selectively and sequentially operating said two mechanisms cannot be considered anticipated.

The arrangement of a strapping machine having the features recited in claim 1 of the present application allows the kinematical structure to be simplified and of smaller size than that of the Hoshino patent, where an external braking unit 97, 105 and a transmission belt 107 must be coupled to the motor 85.

Moreover, according to the claimed invention, the motor is allowed to always rotate in the same direction (see page 6, line 22 of the specification) and at the same speed, thereby avoiding any stress and wear deriving from frequent inversions of its rotational motion and changes of its speed. The direction and speed of the main traction wheel 18 are determined by which of the two selectable transmission mechanisms is currently connecting the motor to the wheel.

Therefore, the Hoshino patent cannot provide a skilled person with any useful teaching or suggestion to devise a strapping machine as claimed in claim 1. Accordingly, independent claim 1 of the present application should also be considered inventive over the Hoshino patent, either if taken alone or in combination with any other prior art documents of record.

Dependent claims 3 and 12 have been placed in independent form. These claims were previously indicated to be allowable.

Based on the foregoing amendments and remarks, it is respectfully submitted that the claims in the present application, as they now stand, patentably distinguish

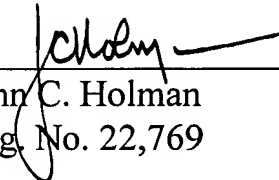
over the references cited and applied by the Examiner and are, therefore, in condition for allowance. A Notice of Allowance is in order, and such favorable action and reconsideration are respectfully requested.

However, if after reviewing the above amendments and remarks, the Examiner has any questions or comments, he is cordially invited to contact the undersigned attorneys.

Respectfully submitted,

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